

CITIZENS' INDEPENDENT TRANSPORTATION TRUST
Project Review Committee Review

Wednesday, August 13, 2003
Main Library Auditorium
101 West Flagler Street
Miami, FL 33128
3:00 pm – 5:00pm

SUMMARY OF MINUTES

CITT ATTENDANCE:

LtCol Colmenares, Chairman
Mike Abrams
John Cosgrove
Thamara Labrousse
Miles Moss
James Reeder
Theodore Wilde

COUNTY ATTORNEY:

Bruce Libhaber, Assistant

OTHERS PRESENT:

Roger Fabelo, Citizen
Luis E. Lugo, Citizen
Dave Barlett, Citizen
Manuel Mejido, Citizen
Pepe Valdes, OPTM
Patricia David, OPTM
Nestor Toledo, OPTM
Joanna Santiago, OPTM
Alina Philipp, OPTM
Clinton Forbes, MDT
Seraphin Bernard, MDT
Pete Saklas, HNTB
Michael Moore, MPO
Victor Bravo, MDT
Joel Volinkski, National Center for Transit Research
Elizabeth Rockwell, MPO
Jack Furney, OPTM
Alex Delacruz, Mayor's Office

ROLL CALL

With a quorum being present LtCol Colmenares, Chairman, called the meeting of the CITT Project Review Committee meeting to order at 3:05 p.m.

OPENING REMARKS

LtCol Colmenares welcomed everyone to the meeting.

AGENDA APPROVAL

LtCol Colmenares moved the item Interlocal Agreements to Action Items. CITT Staffing item was also added to Action Items. The motion to seconded by Mr. Reeder and carried without dissent.

COMMITTEE MEMBER REMARKS

None

CITIZENS' REMARKS

None

APPROVAL OF MINUTES – JULY 16, 2003

LtCol Colmenares requested a motion to approve the July 16, 2003 minutes. A motion was made by Mr. Cosgrove, seconded by Mr. Reeder and carried without dissent.

ACTION ITEMS:

A. CITT/OPTM SECRETARIAT STAFF

LtCol Colmenares distributed a list of duties of the current CITT staff in draft form prepared by Nestor Toledo, Acting CITT Secretariat (attached). He mentioned that the issue was brought up at the last CITT meeting. Each committee was asked to make a recommendation on the staffing issue at the next CITT meeting scheduled for Sept. 24, 2003.

The Secretariat Staff is defined by Ordinance 02-117 and states the County Manager would provide staffing support to the CITT. However, it did not define the composition of staff. There is three staff members assigned to the Secretariat under the supervision of the OPTM Director, Danny Alvarez. LtCol Colmenares presented an overhead presentation on the specific duties of the secretariat. One recommendation the CITT made was that the staff should be aligned under a different supervisor and the intent is to show more independence from the county.

LtCol Colmenares opened the floor for discussion to PRC members. He stated the goal is to have a recommendation as to where the staff is better suited to provide support to the CITT. The composition of the staff will be discussed at the Bylaws Workshop scheduled immediately after the PRC meeting.

Mr. Abrams commented that the staffing issue is fundamental of governance and how staff can assist the CITT to meet its responsibilities of oversight. Most of the duties listed are technical and do not address the issue of oversight. The way staff is structured now the CITT is hopelessly compromised because the Trust is dependent on staff that is housed at OPTM. This is not to be critical of OPTM and MDT or the County Manager. They have been very sensitive of all our needs. Mr. Abrams indicated he raised this issue with the County Manager, OPTM and everybody wants this to work. There are other similar structures in the County, such as the Homeless Trust and Safe Neighborhood Parks. We need to have three or four people with a high

level of expertise. They may be under the County Manager's payroll but they will be our staff and will not be compromised with other responsibilities. Mr. Abrams indicated he has discussions with Commissioner Barreiro, Chairwoman Barbara Carey-Shuler and the County Manager and they have not shown any negative reaction.

Mr. Cosgrove agreed that public perception is important. The ordinance states that the County Manager shall provide staff. Mr. Cosgrove asked if the CITT wanted the Ordinance changed or if the CITT wanted to negotiate with the County Manager and say what we really want. It is not necessary to change the Ordinance but you could take staff out of OPTM and put them in a separate office and let them work full time for the Trust. Mr. Toledo and Ms. David have 30 years of County Government knowledge. Mr. Cosgrove does not know if he would want to trade that experience but he does want to get the balance on the independence. If we could do something to negotiate with the County Manager we would not have to go back to the Commission and wait 3 or 4 months. Something like this would meet our objectives.

LtCol Colmenares said he has put a lot of thought into this issue. He has developed a professional relationship with the current staff and they have been very responsive to every request.

Ms. Labrousse asked Mr. Abrams if there is a conflict with the current staff.

Mr. Abrams responded that it is a matter of principle and governance. What needs to be done is to set up a structure that is going to work for the Trust and the citizens of Dade County. The CITT needs to determine its staffing needs and present them to the County Manager with the understanding that they are working solely for the trust.

Mr. Moss said the list of duties provided by Mr. Toledo is very good. We need to define exactly where we want staff's help above and beyond what they are doing now and then evaluate positions.

Mr. Wilde noted that the current staff has worked tirelessly. It is about accountability and responsibility over the long term. We need functions that include clerical and secretarial. The minutes for all the committees for the CITT is in itself a substantial and skilled responsibility. This group of functions will report in effect to the Chairperson of the CITT. That would already establish a basis of the large picture of accountability.

Mr. Cosgrove moved to approve the concept of negotiating with the County Manager and moving forward the recommendation to the Trust at its September 24, 2003 meeting.

LtCol Colmenares said he would entertain the motion at the end of the discussion and his presentation. The two issues here are Administrative Control and Operational Control of the staff. We realize that the Secretariat staff is there by law. There is a consensus to not change the ordinance. Administrative control is things a person needs to do their daily duties. Operational Control is where that staff gets its day-to-day orders from the CITT. The Trust needs to provide the County Manager with a list of requirements. Mr. Toledo has created a draft but I think the committee should add to that list, and if Mr. Toledo is the right person then he should remain in that position.

Mr. Cosgrove stated that Chairman Colmenares' draft conflicts with the ordinance because the Trust does not have direct authority to hire or fire staff. The way this is proposed it leaves out that the County Manager by the existing ordinance has a certain authority.

LtCol Colmenares emphasized this is a draft. Mr. Cosgrove suggested using the word "recommend" approval of termination.

Mr. Libhaber stated that the Trust may request the County Manager appoint some or all of the CITT members as an evaluation/selection committee, to recommend staffing positions. Mr. Libhaber stated the County Manager may choose people who are not County employees to serve on selection committees. The CITT does not have the power to hire or fire CITT staff, as not even the BCC has that power.

Mr. Cosgrove asked to move the conceptual plan forward.

LtCol. Colmenares said before we commence negotiations the Bylaws must be in line with the recommendation. We need to look at the task presented here and add to them. The recommendation at the last CITT is to give every committee an opportunity to give its own analysis. The County Manager has job descriptions for each position. I would like everyone to describe other functional items by the next PRC meeting August 27, 2003. There are two separate issues: Administrative Control and Operational Control. We need to address those in the Bylaws.

Mr. Reeder seconded the motion. We do not need any technical expertise if we do then it is a question of just signing a contract. What we need are a few people to coordinate our needs.

LtCol Colmenares said the Trust needs administrative support in addition to technical expertise. The trust can hire technical expertise when needed. Once the Interlocal agreement projects begin to take off, I would like to visit these projects with someone that has knowledge in that area.

Mr. Cosgrove restated the motion to simultaneously workout the details to begin the negotiation process with the County Manager to start working out a framework of a proposal and a recommendation to bring back to the Trust to deal with the issue of independence of the Secretariat. Every committee is to give a full report to the Trust on 9/24/03. It would be PRC's report that we recommend to begin negotiations with the County Manager.

LtCol said we must even define our needs in the Bylaws. How could we ask the County Manager to support our requirements if we have not even identified them yet?

Mr. Cosgrove said we need to have an independent secretariat. The process is not going to begin until after September 25 at the earliest.

LtCol Colmenares said he would support the motion to start negotiations after all committees have reported to the CITT on the September 24, 2003.

Mr. Moss said the motion is simply that the PRC is in consensus that staff should be individuals employed by the County Manager but dedicated operationally to the Trust. The motion was seconded by Abrams and carried without dissent.

Mr. Abrams said we must review the County Manager's budget in terms of making sure that it is in conformance with this year's budget and in conformance with the maintenance of effort and understanding the requirements to get an independent point of view.

LtCol Colmenares asked for approval to add the independent auditor to the agenda, seconded by Mr. Reeder and carried without dissent.

Mr. Abrams moved to approve the motion to engage this fiscal year an independent auditor that has been sponsored by county selection process which is KPMG and Sharpson & Bronson to review the County Manager's recommendations as to conformance on the effort of the use of the half penny and to bring that analysis back to the CITT before the County Commission votes on the final budget.

Mr. Cosgrove said that we request that the County Manager engage and approve the authorization for this to be done and report back to the Trust.

Mr. Abrams said for the County Attorney to work on the necessary language. The motion was seconded by Mr. Reeder and carried without dissent.

Mr. Abrams left at 4:40 pm

B. INTERLOCAL AGREEMENTS

LtCol. Colmenares said he has reviewed some of the Interlocal agreements and noted that some of the cities have not listed the projects. He would like to contact those municipalities and meeting with their project managers and see exactly what projects they are going to be spending their monies on. He identified the two largest municipalities receiving the most money and suggested inviting them to give a at the next PRC meeting. The two cities proposed are City of Coral Gables and the City of Hialeah. A copy of each Interlocal Agreement from 20 municipalities was distributed.

LtCol Colmenares made a motion to ask for approval to invite the City of Hialeah and Coral Gables to make a presentation at the next PRC committee meeting August 27, 2003.

Mr. Libhaber responded that the Trust could recommend to the BCC to withhold payment for non-compliance with the requirements of the Ordinance and/or state law. The CITT can request a list of projects from the municipalities.

LtCol said the intent is to synchronize these projects with County projects so that the municipalities do not spend money on a project that the County has already earmarked for that city.

Mr. Nestor Toledo said he would see to it that an invitation letter would be sent to the two municipalities and added it would be good for the public to be informed how the municipalities are spending the surtax proceeds.

Mr. Reeder suggested informing the Dade League of Cities to advise the other municipalities that we are inviting these two cities to make a presentation.

The motion is to send an invitation to the cities of Hialeah and Coral Gables to attend the next PRC meeting to present their proposed projects utilizing the half-penny surtax monies from the County, seconded by Mr. Reeder and carried without dissent.

NEW BUSINESS

None

CLOSING REMARKS

None

ADJOURNMENT

The meeting of the Projects Review Committee adjourned at 4:45 p.m.